

1 UNITED STATES
2 ENVIRONMENTAL PROTECTION AGENCY
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12 OHIO PETITION REVIEW
13 PUBLIC MEETING
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21 Tuesday, November 13, 2001
22 Evening Session
23 Palermo Room

24 Holiday Inn
175 Hutchinson Avenue
Columbus, Ohio 43085

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1 SPEAKER: My name is David Scott. I
2 am regional vice president of the Sierra
3 Club for the Midwest U.S. I will be
4 submitting written comments. But I would
5 like to offer some observations on the
6 petition.

7 Ohio EPA has a proven track record
8 and a pattern of failing to take clean air
9 issues seriously.

10 The State of Ohio spent taxpayer
11 money fighting the American trucking suit,
12 fighting against articulate standards. U.S.
13 EPA has found that the New Source of Review
14 program is totally inadequate. People need
15 to understand the consequences of the
16 failure to enforce the Clean Air Clause
17 which includes scientific evidence of lung
18 damage in children and adults.

19 Every river, every river in the
20 State of Ohio has got fish advisories for
21 mercury pollution, which is the byproduct of
22 burning coal. I mean, the real problem is
23 that American Electric Power, which is one
24 of the largest utility companies in the

1 country, is headquartered here in Columbus.
2 Ohio EPA has simply refused to regulate the
3 American Electric Power Company. And that's
4 what the new source and problem is about,
5 Ohio EPA and American Electric Power
6 Company. And they need to protect the
7 citizens and the State of Ohio from proven
8 risks like lung damage and brain and nerve
9 damage from mercury, which comes from
10 coal-fired power plants.

11 Buckeye Egg was mentioned. I'm
12 simply going to mention the State of Ohio,
13 when Buckeye Egg came, said, we can't do
14 anything about it. Austin Polman had
15 criminal convictions in Germany, and he said
16 we can do nothing about it. Now they are
17 here, and there is a problem, and where were
18 you when they came.

19 TMDLs, total maximum daily loads,
20 TMDL program, the State of Ohio has now
21 announced the timetable that is an official
22 violation of the Clean Water Act. I mean,
23 the State of Ohio has flatly said, we are
24 going to violate the timetable set forth at

1 of the Clean Water Act. The TMDL program is
2 the only mechanism we have to get a hold of
3 nonpoint source pollution from urbanization
4 and farm runoff, which are the major sources
5 of pollution in Ohio rivers, streams, and
6 the Great Lakes, like Lake Erie. I mean,
7 it's the only mechanism we have got to
8 control that. And the State of Ohio is
9 thumbing its nose at federal law.

10 I encourage Ohio, U.S. EPA to follow
11 through and make sure Ohio does tighten up
12 the new program and do meet their
13 obligations under federal law about the TMDL
14 program. Thank you.

15 --O--

16 SPEAKER: Stephen Devoe. My comment
17 was in regards to U.S. EPA coming in here,
18 consistently things like Buckeye Egg Farm,
19 they give commands to enforce and they have
20 no, you know, branch at all. They don't
21 shut it down. They don't do anything about
22 it. It has been said repetitively. I don't
23 know air emissions at Honda. I am more
24 worried about Buckeye Egg. They are

1 repetitively inept, I guess.

2 It was for more of an educational
3 meeting, too. I am not going to comment on
4 anything else. I am a science student at
5 Ohio. I am acutely aware of these things.
6 The science is pretty straight forward on a
7 lot of these issues. Dumbfounded about the
8 lack of anything that is done. They seem
9 inept. Too impotent governors. That's
10 really that, I guess.

11 --O--

12 SPEAKER: My name is Dan Perkins,
13 P-e-r-k-i-n-s. I live at 8868 Croton Road,
14 Johnstown, Ohio, one eighth of a mile
15 southeast of Land Site Number 2 and Buckeye
16 Egg Farm. I lived on the same farm for 53
17 years. I put up with their shenanigans,
18 Buckeye Egg Farm, for approximately 20
19 years. EPA has done little, if anything, to
20 correct the many problems that have surfaced
21 over the years.

22 And I just wanted to volunteer -- I
23 have got my own business, volunteer my
24 services if anybody from the federal EPA

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1 wants to tour the thing. I used to drive a
2 livestock truck. I know the area as well as
3 I do the back of my hands. I know where
4 about 47 wells are that we don't know
5 whether they have been properly capped or
6 not or sealed, whatever the law is. Land
7 Site Number 2, Land Site Number 4, have been
8 built right over top of existing wells.

9 So therefore I wanted to come in and
10 make that comment. I'm going to make some
11 of these comments in the other room. But I
12 did want to get that across, that if anybody
13 from the federal EPA wishes to contact me to
14 see where some of these problems have
15 existed, where they buried chickens
16 illegally, trash illegally, so on and so
17 forth. I own a 238-acre farm, and as I say,
18 I know the area real well. So I just wanted
19 to help in any way I could, because I have
20 put up with the Buckeye's problems and the
21 Ohio EPA somewhat ignoring them.
22 So... thank you.

23 --O--

24 SPEAKER: Dr. Karl Schaeffer. I

1 have no affiliation. I am just a homeowner
2 in Blacklick, Ohio. S-c-h-a-e-f-f-e-r. And
3 Karl, with a K, Dr. Karl Schaeffer, 6372
4 Winrush Lane in Blacklick.

5 And my complaints towards the EPA
6 are that of the Columbus Steel Drum Company,
7 which is off Taylor Station Road and a
8 Gahanna business park. I think it's on
9 Blatt Road. Columbus Steel Drum Company has
10 been polluting the environment cleaning
11 steel drums for the past, I don't know how
12 many years.

13 We have called -- my wife who now
14 suffers from multiple chemical sensitivities
15 has been and is almost housebound with
16 vertigo and is extremely ill, has complained
17 to the Ohio EPA for at least 17 years. And
18 this company is -- has had violations, but
19 nothing is really been done.

20 Ten days ago, the fire department
21 came to our house. The gas company -- we do
22 not have natural gas in the house. Because
23 she was awake from her sleep and gas and
24 chemical odors came through the flew of the

1 fireplace and gassed her. And this company,
2 again, cleans steel drums and has had many
3 violations from the EPA. But nothing really
4 is done to protect us.

5 My wife, like I said, has called the
6 EPA for 17 years, and they just put her off.
7 A friend of ours whose relative worked at
8 the Steel Drum Company said, oh, yeah, the
9 EPA lets us know exactly when they are
10 coming so we can change things, you know.
11 So we can turn off the burners, the stacks.
12 And it's just outrageous that -- a school
13 was, they almost -- about 10 days ago when
14 my wife had a terrible problem with the gas,
15 the nearby Blacklick School was almost
16 evacuated. And it's just been a nuisance.
17 And I talked to the EPA when it happened.
18 Spoke to a Mike Abner; seemed like a nice
19 guy. I said, Mike, for 17 years they have
20 been trying to do something. Why don't they
21 put a monitor right on our property and
22 let's see exactly what the noxious chemicals
23 are. And he will get back to me. Well, you
24 know, they don't do what they are supposed

1 to do.

2 And with some people saying, well,
3 the EPA may be paid off and they notify
4 people in advance of when they are coming, I
5 have doubts of their enthusiasm. You know,
6 to find a company that's been polluting the
7 air and the environment is just outrageous.
8 They should shut them down.

9 --O--

10 SPEAKER: My name is Jeff Goddin. I
11 am from Columbus, the last eight years.
12 Just started voting recently, 26. I would
13 like to think of myself as an active
14 citizen.

15 I look at the Ohio EPA, everything
16 that's gone on with the U.S. EPA review of
17 it, everything that's gone on today, and it
18 all points to one problem, and it's
19 leadership, leadership, leadership, over and
20 over again. It's not a very hard conclusion
21 to make when you look and say, well, maybe
22 money is being mishandled; we could be more
23 efficient with that.

24 We have all those programs not quite

1 getting enforced. I was stunned at the one
2 page where they said, for one, we have no
3 way of checking air quality except for they
4 tell us, you know, whether or not they are
5 polluting. We have no thorough and
6 efficient method of doing this. For, two,
7 we have no way of checking what they tell
8 us.

9 Like Ohio -- I mean, that's
10 ridiculous. So I hope that the U.S. EPA
11 will take the next step at some point in
12 time in the near future and suggest Ohio
13 needs better leadership in its EPA. That's
14 my comments.

15 ==O==

16 SPEAKER: I am Paige Phinney, and I
17 worked as an intern, summer 2001, at the
18 Ohio EPA Department of Environmental
19 Services. While I was there, I noticed a
20 lot of effects of bureaucracy. One specific
21 example as far as EPA and companies, a task
22 that one intern and myself were put on was
23 to go through a large box of unopened
24 letters. These letters were anywhere from 6

1 months to 10 years old. The letters
2 basically consisted of companies writing to
3 the EPA saying that they have received
4 information about the contaminants and
5 pollution that they were causing to the area
6 around their chemical plants or what have
7 you, and that they were going to disregard
8 the information.

9 Nobody saw this information that we
10 took from unopened envelopes and filed other
11 than one intern and myself. And that's all
12 I have to say.

13 --O--

14 SPEAKER: Mike Davala, D-a-v-a-l-a.
15 I live in Columbus.

16 I do realize that there are some --
17 there have been some abuse of pollution
18 across the state and across the country and
19 some of the EPA should take care of. My
20 concern is with the environmental fringe
21 groups that have been here and spoken here
22 tonight, a few comments about them.

23 The thing environmental whackoes
24 don't realize is people don't have to be

1 enviro-whackoes to want clean air and clean
2 soil. I can't think of anyone who doesn't
3 want these things. But do you have to be
4 willing to compromise some issues in order
5 to fulfill the needs of the greater good.
6 That's when thinking rather than reacting
7 emotionally is most important. This is the
8 crux of whacko environmentalists. No
9 compromise, no thinking, no solutions to the
10 problems, just chronic whining and surreal
11 expectations.

12 That's why I am not going to address
13 any pollution problems in this country. Our
14 leaders from both parties should forget
15 about trying to please these eco-nuts who
16 have not been placated, satisfied, or dealt
17 with no matter what sane, rational
18 approaches are attempted. The economic
19 targets of our great nation demands
20 well-rounded sanity, not more hot air from
21 the lunatic fringe.

22 --O--

23 Thereupon, the proceedings of
24 November 13, 2001, were concluded at 9:30

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1 CERTIFICATE

2 I, Andrea E. Crago, RPR/CRR, a
3 notary public in and for the State of Ohio,
4 do hereby certify that I reported the
5 foregoing proceedings and that the foregoing
6 transcript of such proceedings is a full,
7 true and correct transcript of my stenotypy
8 notes as so taken.

9 I do further certify that I am not
10 a relative, employee, or attorney of any of
11 the parties hereto; that I am not a relative
12 or employee of any attorney or counsel
13 employed by the parties hereto; that I am
14 not financially interested in the action;
15 and further, I am not, nor is the court
16 reporting firm with which I am affiliated,
17 under contract as defined in Civil Rule
18 28(D).

19 In witness whereof, I have
20 hereunto set my hand and affixed my seal of
21 office at Columbus, Ohio, on this day
22 of , 2001.

23

24

25 Andrea E. Crago
26 Notary public, State of Ohio.

27 My commission expires: December 15, 2002.

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